

PERP Regulation Proposed Changes

6/05/03

• **Equivalent and Identical Replacements**

As of July 1, 2001, registered portable engines are required to meet the most stringent emissions standard. This effectively changed the program such that equivalent and identical replacements are required to meet the most stringent emission standard for that size/class of engine. Therefore, we propose to delete the appropriate sections for equivalent and identical engine replacements.

Proposed actions for equivalent replacements

~~2452(i) — Equivalent Replacement means a substitution of one or more registered portable engine(s) or equipment unit(s) with a portable engine or equipment unit that is intended to perform the same or similar function as the original portable engine or equipment unit, and where the following condition exist:~~

- ~~1. the replacement engine or equipment unit results in equal or lower air contaminant emissions than the existing engine or equipment unit (or sum of existing engines or equipment units) expressed as a mass per time (limitations on capacity or hours of operation shall not be taken into account in qualifying for lower air contaminant emissions);~~
- ~~2. the replacement engine or equipment unit meets the emission control technology requirements of this article contained in section 2456 and 2457;~~
- ~~3. the rated brake horsepower of the replacement engine does not exceed the rated horsepower of the existing engine (or sum of the existing engine) by more than 20 percent, For every percentage point increase of the rated brake horsepower, there shall be an associated decrease in emissions of nitrogen oxides, expressed as a mass per unit time, equal to or exceeding two percentage points; and~~
- ~~4. the manufacturer's maximum rated capacity of the replacement equipment unit does not exceed the maximum rated capacity of the existing equipment unit.~~

~~2453(d) — For an equivalent replacement, except for TSE, the owner or operator of a registered portable engine or equipment unit shall file a new application for registration with the Executive Officer prior to operating the equivalent replacement. The application shall include surrender of the registration identification label for the portable engine or equipment unit being replaced and appropriate fees as required in section 2461. Failure to meet the requirements of this article prior to operating the equivalent replacement may subject the owner or operator to section 2465 of this article.~~

~~2461 Delete fee for equivalent replacement from Table 3 – Registration and Renewal Fees for Statewide Registration Program~~

~~Equivalent replacement (treated as a new registration, fees are the same as above for new registration.~~

Proposed actions for identical replacements

2452(m) — ~~Identical replacement means a substitution of a registered portable engine or equipment unit with another portable engine or equipment unit that has the same manufacturer, type, model number, manufacturer's maximum rated capacity, and rated brake horsepower; and is intended to perform the same or similar function as the original portable engine or equipment unit; and has equal or lower emissions expressed in mass per unit time; and meets the emission control technology requirements of sections 2455 through 2457 of this article.~~

2453(e) — ~~For an identical replacement, an owner or operator of a registered portable engine or equipment unit is not required to complete a new application and may immediately operate the identical replacement. Except for TSE, the owner or operator shall notify the Executive Officer in writing within five calendar days of replacing the registered portable engine or equipment unit with an identical replacement. Notification shall include company name, contact, phone number, registration certificate number of the portable engine or equipment unit to be replaced; and make, model, rated brake horsepower, serial number of the identical replacement; and applicable fees as required in section 2461.~~

2461 Delete fee for identical replacement from Table 3 – Registration and Renewal Fees for Statewide Registration Program

~~Identical replacement fee — \$15.00.~~

Proposed language change for equivalent and identical engine replacements

2456(e)(7) ~~except for an engine that qualifies as a resident engine, regardless of engine manufacturer date, if registering on or after July 1, 2000, meet the most stringent standards for the applicable brake horsepower range specified for California or federally certified newly manufactured engine; if no emissions standards exist, then the applicable requirements contained in Table 1 or Table 2 must be met;~~

2456(e)(8) ~~on or after July 1, 2001, except for change of ownership, applications filed for registration or identical or equivalent replacement of a registered portable engine, meet the most stringent emissions standard;~~

2456(e)(10) meet the most stringent emission standard. For the purpose of sub-section (e), the most stringent emissions standard shall be the applicable emissions standard in effect at the time an application is deemed complete and set forth in Title 13 of the California Code of Regulations for that engine rating. If no emissions standard exists under the California Code of Regulations, then the applicable emissions standard set forth in 40 CFR Part 89 shall apply. ~~If no standard exists under the California Code of Regulations or 40 CFR Part 89, then the applicable requirements of Table 1 for compression-ignition engines or Table 2 for spark-ignition engines shall apply.~~ Any engine meeting the most stringent emission standard, as defined above, is not subject to requirements (3) and (4) of sub-section (e);

- **Non-Operational Engines**

Proposed language:

2453(k) ~~An owner or operator registering a portable engine or equipment unit as non-operational may choose to have the equipment evaluated for registration eligibility at the time the initial application is filed or at the time the portable engine or equipment unit is changing to operational status. Where an initial evaluation is performed, switching from non-operational status to operational status requires notification in writing to the Executive Officer of the change in operational status and payment of all applicable fees prior to operation. Where no initial evaluation is performed, switching from non-operational status to operational status requires a complete application to be filed and approved by the Executive Officer. Within six months from the effective date of the regulation revisions, applications must be filed with the Executive Officer to change currently registered non-operational engines to operational status, or the registrations will be cancelled.~~

2453(l) After the effective date of the regulation revisions, applications for making portable engines or equipment units non-operational will not be accepted by the Executive Officer.

- **Notification Requirements**

District Notification Requirements

2459 (a) Except as listed in sub-section (f) of this section, if a registered portable engine or equipment unit is operated at a project will be in the district for more than five days, the owner or operator or renter (except as noted in (c) below), shall notify the district in writing, via facsimile, or by telephone, within two working days of commencing operations in that district. The notification shall include all of the following:

- (1) the registration number of each ~~the~~ portable engine or equipment unit;
- (2) the name and phone number of a contact person with information concerning the locations where each ~~the~~ portable engine or equipment unit will be operated at that project with the district; and
- (3) estimated time the portable engine or equipment unit will be located at that project in the district.

2459 (e) ~~Except as listed in sub-section (f) of this section, owners and operators of registered portable engines and equipment units moving from one location to another location within the boundaries of the designated "home" district are not subject to notification requirements, providing the home district is identified at the time of registration.~~

- **Change of ownership**

Background: The process for change of ownership of registered engines or equipment units need to be clarified. Staff proposes that owners or operators of newly purchased portable engines or equipment units that are currently registered in the Statewide program file an application for change of ownership before they can operated the portable engine or equipment unit as part of the Program.

Proposed language

2453(n) Once a registered engine or equipment unit has been sold, the new owner must submit a change of ownership application. The registration is not valid for the new owner until an application has been filed with the Executive Officer for change of ownership. Registration will be reissued to the new owner after a complete application has been filed and approved by the Executive Officer and all applicable fees have been paid.